

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

-----  
UNITED STATES OF AMERICA, ) File No. 16-CR-002  
(KES/VLD)  
Plaintiff, )  
vs. ) Minneapolis, Minnesota  
December 11, 2015  
KHAALID ADAM ABDULKADIR, ) 2:06 p.m.  
Defendant. ) DIGITAL AUDIO  
RECORDING TRANSCRIPT  
-----

BEFORE THE HONORABLE BECKY R. THORSEN  
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE  
**(INITIAL APPEARANCE)**

APPEARANCES

For the Plaintiff: UNITED STATES ATTORNEY  
JOHN F. DOCHERTY, AUSA  
300 South Fourth Street  
Suite 600  
Minneapolis, Minnesota 55415  
  
For the Defendant: OFFICE OF THE FEDERAL DEFENDER  
SHANNON R. ELKINS, ASSISTANT  
FEDERAL DEFENDER  
300 South Fourth Street  
Suite 107  
Minneapolis, Minnesota  
55415-1329  
  
Transcribed By: CARLA R. BEBAULT, RMR, CRR, FCRR  
Suite 146 U.S. Courthouse  
316 North Robert Street  
Saint Paul, Minnesota 55101

Proceedings recorded by digital audio recording;  
transcript produced by computer.

**P R O C E E D I N G S**

**IN OPEN COURT**

THE COURT: Be seated. This is the United States District Court for the District of Minnesota, and we are here for initial appearances in the matters entitled United States of America versus Khaalid Adam Abdulkadir; and United States versus Kevin Green. And we will begin by getting appearances of counsel beginning with the Government.

MR. DOCHERTY: Good afternoon, your Honor. Assistant U.S. Attorney John Docherty representing the Government on United States versus Abdulkadir.

MS. VELAZQUEZ-AGUILU: Good afternoon, your Honor. Lola Velazquez-Aguilu on behalf of the United States in the matter of United States versus Kevin Green.

THE COURT: Good afternoon, Counsel.

And for the Defendants.

MS. ELKINS: Good afternoon, your Honor. Shannon Elkins on behalf of the Office of the Federal Defender.

THE COURT: Good afternoon. And I see that there are two people at counsel table with you. Could you please introduce your clients.

MS. ELKINS: That's correct, your Honor. Immediately to my left is Khaalid Abdulkadir. And to the left of him is Mr. Kevin Green.

1 THE COURT: Good afternoon, gentlemen.

2 THE DEFENDANT: Good afternoon.

3 THE DEFENDANT: Good afternoon.

4 THE COURT: I'm going to walk through what we'll  
5 do today and the -- and tell you about the sequence of  
6 topics that we'll cover. What I'll first do is advise you  
7 of your rights. After that I will make sure that both  
8 Defendants know why they are before the Court. Then we will  
9 discuss whether you would like to obtain the services of the  
10 Federal Defender or whether you wish to hire private  
11 counsel. Next we'll talk about your detention during the  
12 proceedings. And then you will be advised of the next  
13 hearing.

14 Now what I'm going to do is to read you your  
15 rights. And after that I will call each Defendant up to the  
16 podium and we'll go through all these topics with respect to  
17 each of you, but I'm going to read you your rights right now  
18 and so please listen carefully.

19 You have the right to remain silent and not to  
20 answer the questions of any law enforcement officer  
21 whatsoever.

22 You can give up your right to remain silent and  
23 ask -- answer questions if you want to. The choice is  
24 yours.

25 If you do give up your right to remain silent and

1 if you do answer questions, anything you say can and will be  
2 used against you in court.

3 You also have the right to be represented by an  
4 attorney whenever you are being questioned. And if you  
5 cannot afford an attorney, the Court will appoint one to  
6 represent you free of charge.

7 And you have these rights at all time and you can  
8 assert them at any time.

9 So what I'll do is first ask Mr. Abdulkadir to  
10 come up to the podium with counsel, please.

11 Sir, can you please state your full name for the  
12 record.

13 THE DEFENDANT: My first name Khaalid, spelled as  
14 K-H-A-A-L-I-D; last name Abdulkadir, A-B-D-U-L-K-A-D-I-R.

15 THE COURT: Thank you, sir. Did you hear me read  
16 you your rights?

17 THE DEFENDANT: Yes, I did, ma'am.

18 THE COURT: Do you understand them?

19 THE DEFENDANT: Yes, I did.

20 THE COURT: Now the Government has filed a  
21 complaint against you. Do you understand what the  
22 Government claims you have done?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Next I would like to cover your legal  
25 representation. You are entitled to an attorney in this

1 case, and if you cannot afford an attorney the Court would  
2 appoint one at no cost to you. Would you like the Court to  
3 consider appointing the Federal Defender to represent you?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: What I need to do, sir, is to ask you  
6 a few questions to make sure that you are qualified for the  
7 services of the Federal Defender. Are you comfortable with  
8 that?

9 THE DEFENDANT: Yes.

10 THE COURT: If you could raise your right hand.  
11 Do you swear that you will provide the answers to my  
12 questions and give true and accurate testimony?

13 THE DEFENDANT: I do.

14 THE COURT: Thank you. Sir, are you employed?

15 THE DEFENDANT: Yes.

16 THE COURT: About how much money do you make per  
17 month?

18 THE DEFENDANT: Maybe 1,200.

19 THE COURT: Do you have bills that you have to pay  
20 from that money that you earn?

21 THE DEFENDANT: Just my self-insured, my  
22 insurance.

23 THE COURT: All right. Are there other things  
24 that you do with the income that you make that you have to  
25 use that you cannot use to pay a lawyer?

1 THE DEFENDANT: I just give it to my mom.

2 THE COURT: All right. Do you own any real  
3 estate?

4 THE DEFENDANT: No.

5 THE COURT: Do you have any money in the bank?

6 THE DEFENDANT: Probably like \$56 or so.

7 THE COURT: Do you own any stocks or bonds?

8 THE DEFENDANT: No.

9 THE COURT: Do you own any cars, trucks, or other  
10 vehicles?

11 THE DEFENDANT: No.

12 THE COURT: Do you have any cash that you could  
13 use to pay a lawyer?

14 THE DEFENDANT: No.

15 THE COURT: Do you have any other source of income  
16 that you could use to pay a lawyer?

17 THE DEFENDANT: No.

18 THE COURT: Does anyone owe you any money that you  
19 could ask them to return and you could use to pay a lawyer?

20 THE DEFENDANT: No.

21 THE COURT: All right, sir. Well, I'm satisfied  
22 that you do not have the funds to hire a lawyer and I  
23 appoint the Federal Defender. Does the Federal Defender  
24 accept the appointment?

25 MS. ELKINS: We do, your Honor.

1 THE COURT: Thank you, Counsel.

2 Now, sir, what I'm going to cover is your  
3 detention. Does the Government seek detention in this case?

4 MR. DOCHERTY: Your Honor, the Government does  
5 seek detention in this case. We also seek a continuation of  
6 the detention hearing and we seek temporary detention of  
7 Mr. Abdulkadir pending the holding of that detention  
8 hearing.

9 THE COURT: All right. So, sir, in the case where  
10 the Government is seeking detention and a continuation of  
11 the hearing, they have three days to prepare and so does  
12 your counsel. And so what we'll be doing is scheduling a  
13 detention hearing for you to take place, and we have a date  
14 that is set up. That will be December 16th, 2015. And that  
15 will be at 3 o'clock p.m. before me, and it will take place  
16 in this courtroom in Minneapolis, and we will see you then.  
17 And until then, you will be detained and I will remand you  
18 to the custody of the U.S. Marshal.

19 Counsel, is there anything else you'd like to  
20 cover from the Defendant's point of view?

21 MS. ELKINS: No, your Honor. Thank you.

22 THE COURT: From the Government?

23 MR. DOCHERTY: No, your Honor. Thank you.

24 THE COURT: All right. Thank you.

25 (Court adjourned at 2:14 p.m.)

\* \* \*

I, Carla R. Bebault, certify that the foregoing is  
a correct transcript from the digital audio recording of  
proceedings in the above-entitled matter, transcribed to the  
best of my skill and ability.

Certified by: s/Carla R. Bebault  
Carla Bebault, RMR, CRR, FCRR

Carla R. Bebault, RMR, CRR, FCRR  
(651) 848-1220